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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 FRANK M. HERNANDEZ,

10 *Petitioner,*

11 vs.
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13 E.K. MCDANIEL, *et al.,*

14 *Respondents.*
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3:11-cv-00337-RCJ-VPC

ORDER

16 Petitioner's motion (#9) for reconsideration of the Court's order (#7) denying his motion
17 for appointment of counsel is DENIED. There is no constitutional right to counsel in a federal
18 habeas matter, and allegedly having only a ninth grade education does not necessitate a
19 finding that the interests of justice require the appointment of counsel. Federal habeas
20 matters generally are pursued *pro se*.

21 DATED: September 19, 2011
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25 ROBERT C. JONES
26 Chief United States District Judge
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